

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MANUEL JIMENEZ-VALDEZ,

Plaintiff(s),

Civil Case No. 21-13046
Honorable Linda V. Parker

v.

TORIANO HUDSON and
BEVERLY WALTON,

Defendant(s).

/

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S JANUARY
30, 2024 REPORT AND RECOMMENDATION AND GRANTING
DEFENDANTS' MOTIONS TO DISMISS AND FOR SUMMARY
JUDGMENT**

Plaintiff commenced this lawsuit against Defendants on December 21, 2021.

On May 4, 2023, Defendant Hudson filed a motion to dismiss and/or for summary judgment. (ECF No. 35.) On July 26, 2023, Defendant Walton also filed a motion to dismiss and/or for summary judgment. (ECF No. 43.) The matter has been assigned to Magistrate Judge Curtis Ivy, Jr. for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B).

On January 30, 2024, Magistrate Judge Ivy issued a report and recommendation (“R&R”) recommending that the Court grant Defendants’

motions to dismiss and for summary judgment and that the case be dismissed. (ECF No. 52.) At the conclusion of his R&R, Magistrate Judge Ivy advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Ivy. The Court therefore adopts the R&R.

Accordingly,

IT IS ORDERED that Defendants Hudson and Walton’s motions to dismiss and for summary judgment (ECF Nos. 35 & 43) are **GRANTED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: March 6, 2024

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 6, 2024, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager